

REMARKS

Claims 1-24 are pending, of which claims 1-4, 13-16 and 21-24 are amended. No new matter has been presented.

Claims 1-4, 9, 11-16 and 18-24 are rejected under 35 USC 102(b) as being anticipated by Chang, U.S. Patent No. 5,974,449. This rejection is respectfully traversed.

Initially, Applicants respectfully request reconsideration of the arguments submitted in the response of July 8, 2008. The “Response to Arguments” section on page 2 of the Office Action is unresponsive to any of the arguments submitted in that response. The Office Action merely states that “Chang discloses reformatting the data into the decided format if a current format of the data is different from the decided format.” However, as outlined below, the Applicants’ arguments were focused on other features of the claimed invention.

Specifically, as submitted in the previous response, Chang fails to teach or suggest the claimed “attaching one of the re-formatted data having the decided format or the current format data having the decided format *as an attachment to the e-mail*” (emphasis added). Col. 17, lines 15-27 of Chang, which the Examiner cites as one of the two excerpts of Chang corresponding to this feature, discloses converting an audio message attached in an e-mail to a voicemail if the destination address of the recipient is within a local area and then sending the voicemail to the recipient *via telephone*. The voicemail which results from the conversion process in Chang is not sent to the recipient as an attachment to the e-mail. Thus, Chang does not teach this feature.

Further, as submitted in the previous response, col. 11, lines 53-59 of Chang, which the Examiner cites as the other excerpt of Chang corresponding to this feature, is an alternative embodiment of Chang unrelated to the embodiment discussed above. The cited excerpt merely discloses forwarding a fax via email, but there is no teaching or suggestion in Chang that a determination is made regarding the format of the data based on the destination address of the recipient. Further, FIG. 7 of Chang clearly indicates that in this embodiment, the fax itself is converted to a message having an email format, rather than being converted to a data format that

is then *attached* to an email. Thus, this embodiment of Chung also fails to teach this feature. Applicants respectfully request full consideration of these arguments.

Claim 1 has been additionally amended to recite “the decided format relates to limiting the ability of a user associated with the email to electronically handle the data.” This feature is not taught or suggested by Chang.

As shown in FIG. 14 of Chang, regardless of whether the destination address of a user is within a local area, the audio message included in the email is converted to a voicemail format before being delivered to the user. If the user is a local user, the conversion is performed by the local server 1304, whereas if the user is a remote user, the conversion is carried out by the remote server 1336. See Chang, FIG. 13. Since both local and remote users received the data in the same format regardless of the type of format the local server 1304 decides on in step 1414 of FIG. 14, the decided format is not related to limiting the ability of the user to electronically handle the data. Thus, Chang fails to teach or suggest this feature.

Accordingly, claim 1 is allowable. Claims 2-4, 13-16 and 21-24 recite similar features as claim 1 and are similarly allowable. Claims 9, 11-12 and 17-20 are allowable for being dependent from an allowable claim.

Claims 5-8 and 17 stand rejected under 35 USC 103(a) as being unpatentable over Chang in view of Mai, U.S. Patent Application No. 2006/0242311. Claim 10 stands rejected under 35 USC 103(a) as being unpatentable over Chang in view of Dunnion, U.S. Patent Application No. 20002/0199119. These rejections are respectfully traversed.

Claims 5-8, 10 and 17 depend from an allowable claim. Neither Mai nor Dunnion overcome the deficiencies of Chang in teaching the features of the independent claims as discussed above. Thus, claims 5-8, 10 and 17 are allowable.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, applicants solicit early action in the form of a Notice of Allowance.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **325772033000**.

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